

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: GADOLINIUM-BASED  
CONTRAST AGENTS PRODUCTS  
LIABILITY LITIGATION**

) **Case No. 1:08 GD 50000**

)

) **MDL No. 1909**

)

) **Judge Dan Aaron Polster**

)

) **Case No. 1:12 GD 50004**

**Paul Decker et al.,**

)

**- against -**

)

) **MEMORANDUM OF OPINION**

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**GE Healthcare, Inc., et al.,**

)

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On April 2, the Court held a teleconference with counsel to address Plaintiffs' recently filed motion for prejudgment interest pursuant to Ohio Revised Code § 1343.03(C). (Doc. # 221). The Court urged both the parties to settle the case short of an appeal. If they do not, then the Court will recuse itself from ruling on the motion, as the Court might have to be a witness to the key factual issue: Whether Plaintiffs exercised good faith and Defendant failed to do so in trying to settle the case before trial.

**IT IS SO ORDERED.**

/s/ Dan A. Polster April 2, 2013

**Dan Aaron Polster**

**United States District Judge**